
HOUSE BILL 1768

State of Washington 60th Legislature 2007 Regular Session

By Representatives Ericks, B. Sullivan, Hurst and Roberts

Read first time 01/26/2007. Referred to Committee on Finance.

1 AN ACT Relating to maintenance and operation funding for parks; and
2 reenacting and amending RCW 82.46.035.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 82.46.035 and 1992 c 221 s 3 and 1991 sp.s. c 32 s 33
5 are each reenacted and amended to read as follows:

6 (1) The legislative authority of any county or city shall identify
7 in the adopted budget the capital projects and maintenance and
8 operations of parks funded in whole or in part from the proceeds of the
9 tax authorized in this section, and shall indicate that such tax is
10 intended to be in addition to other funds that may be reasonably
11 available for (~~(such capital projects)~~) these purposes.

12 (2) The legislative authority of any county or any city that plans
13 under RCW 36.70A.040(1) may impose an additional excise tax on each
14 sale of real property in the unincorporated areas of the county for the
15 county tax and in the corporate limits of the city for the city tax at
16 a rate not exceeding one-quarter of one percent of the selling price.
17 Any county choosing to plan under RCW 36.70A.040(2) and any city within
18 such a county may only adopt an ordinance imposing the excise tax
19 authorized by this section if the ordinance is first authorized by a

1 proposition approved by a majority of the voters of the taxing district
2 voting on the proposition at a general election held within the
3 district or at a special election within the taxing district called by
4 the district for the purpose of submitting such proposition to the
5 voters.

6 (3) Revenues generated from the tax imposed under subsection (2) of
7 this section shall be used by such counties and cities (~~solely~~) for
8 financing capital projects specified in a capital facilities plan
9 element of a comprehensive plan, and, at the option of the city or
10 county, for maintenance and operations of parks acquired or developed
11 with revenues from the tax imposed under subsection (2) of this section
12 after December 31, 2006. Revenues from this tax may not be used by any
13 county or city to supplant existing sources of funding for maintenance
14 and operations of parks. However, revenues (a) pledged by such
15 counties and cities to debt retirement prior to March 1, 1992, may
16 continue to be used for that purpose until the original debt for which
17 the revenues were pledged is retired, or (b) committed prior to March
18 1, 1992, by such counties or cities to a project may continue to be
19 used for that purpose until the project is completed.

20 (4) Revenues generated by the tax imposed by this section shall be
21 deposited in a separate account.

22 (5) As used in this section, "city" means any city or town and
23 "capital project" means those public works projects of a local
24 government for planning, acquisition, construction, reconstruction,
25 repair, replacement, rehabilitation, or improvement of streets, roads,
26 highways, sidewalks, street and road lighting systems, traffic signals,
27 bridges, domestic water systems, storm and sanitary sewer systems, and
28 planning, construction, reconstruction, repair, rehabilitation, or
29 improvement of parks.

30 (6) When the governor files a notice of noncompliance under RCW
31 36.70A.340 with the secretary of state and the appropriate county or
32 city, the county or city's authority to impose the additional excise
33 tax under this section shall be temporarily rescinded until the
34 governor files a subsequent notice rescinding the notice of
35 noncompliance.

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